

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WISCONSIN

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In re: Jeffrey & Shannon Neubauer

Case No. 24-10843-13

Debtor(s)

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TRUSTEE'S OBJECTION TO AMENDED CHAPTER 13 PLAN and AMENDED  
SCHEDULES

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Mark Haring, Standing 13 Trustee, by his attorney, objects to confirmation of the Fourth Amended Chapter 13 Plan and Request to Amend Unconfirmed Plan filed as Document #91 on 12/02/2024 together with Amended Schedules I&J filed as Document #90 and states as follows:

1. Plan is amended to provide for payments of \$1429.06/mo for the first 7 months, a total of \$10,003.42. As of the 7th month, November 2024, the debtors have paid in a total of \$9982.40 so this plan puts the debtors behind immediately. In passing we note the Request form indicates the initial payments are to be \$1184.88/mo. Plan payments to increase to \$2,350/mo starting in December 2024 and for the remaining 53 months of a 60 month plan. The amended budget supports the debtors' ability to make the higher payments, the increase is insufficient to maintain feasibility.
2. Plan is amended to provide for payment of the \$3500 attorney fee balance pro rata.
3. Plan is amended to provide for payment of \$9171.36 mortgage arrears as shown on the claim filed by Fay Servicing with equal monthly payments of \$173.04/mo.
4. Plan continues to provide for the direct payment of a camper loan. The debtors have provided the loan documentation which makes clear this is a longterm obligation. This office will not object to the direct payment of this loan, the payment is included on Schedule J.
5. Plan is amended to provide for payment of a \$6800.94 supplemental mortgage arrears claim to be filed by Fay Servicing. This obligation is to be paid with equal monthly payments of \$128.32/mo.
6. Plan is amended to adjust treatment of the secured obligation due Ally Capital with a value of \$30,800, interest rate of 10% and adequate protection/equal monthly payments of \$722/mo. Due to the increase in value and interest rate, together with the fact this case was filed in April 2024, this obligation will not be paid in full.
7. Plan is amended to adjust treatment of the secured obligation due One Main Financial with a value of \$1000, interest rate of 8.5% and adequate protection/equal monthly payments of \$23/mo.

8. Plan is amended to adjust treatment of the secured obligation due Capital One Auto Finance with a value of \$7600, interest rate of 8.5% and adequate protection/equal monthly payments of \$173/mo.

9. Plan is amended to adjust the amount of priority tax due IRS and WDR. We note the filed claims indicate priority balances of \$5242.62(IRS) and \$5968.21(WDR). The debtors have filed an objection to the IRS claim which shows unfiled business returns. The debtors have not objected to the WDR which also shows unfiled returns.

10. The plan continues to provide for 100% distribution to filed general unsecured claims. As the bar date ran long ago, the total of filed claims is \$52,720.71. A projection indicates there will be approximately \$42,813 available for unsecureds.

11. If the debtors are able to address the payment delinquency, Ally Capital balance and WDR unfiled returns issues it is probable this office will recommend confirmation.

12. As these documents were timely filed, the 11/18/2024 Court Order is resolved.

Dated: December 4, 2024

Standing Chapter 13 Trustee

By: /s/ *Leslie Brodhead Griffith*

Leslie Brodhead Griffith

Attorney for Trustee

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